

## **IN THE CLAIMS**

Please cancel claims 3, 9, 15-16, 18, and 20-21.

Please amend the claims as follows.

1. (Currently Amended) An apparatus comprising:
  - at least one processor;
  - a memory coupled to the at least one processor;
  - a plurality of logical partitions defined on the apparatus; and
  - a capacity manager residing in the memory and executed by the at least one processor, the capacity manager managing at least one temporary resource on demand for a specified resource-time for at least one of the plurality of logical partitions, the capacity manager controlling access to a minimum resource specification for each of the plurality of logical partitions by not allowing a sum of all the minimum resource specifications for all of the plurality of logical partitions to exceed a total of resources that are permanently enabled in the apparatus. ~~to assure the at least one temporary resource may be recovered when the specified resource-time has expired.~~
2. (Original) The apparatus of claim 1 wherein the capacity manager resides in a partition manager that manages the plurality of logical partitions.
3. (Cancelled)

4. (Currently Amended) An apparatus comprising:

- at least one processor;

- a memory coupled to the at least one processor;

- a plurality of logical partitions defined on the apparatus;

- a partition manager residing in the memory and executed by the at least one processor, the partition manager managing the plurality of logical partitions, the partition manager comprising:

  - a capacity manager that manages at least one temporary resource on demand for a specified resource-time for at least one of the plurality of logical partitions, the capacity manager comprising:

    - a minimum resource enforcement mechanism that controls access to a minimum resource specification for each of the plurality of logical partitions by not allowing a sum of all the minimum resource specifications for all of the plurality of logical partitions to exceed a total of resources that are permanently enabled in the apparatus. ~~to assure the at least one temporary resource may be recovered when the specified resource time has expired.~~

5. (Original) The apparatus of claim 4 wherein the partition manager further comprises:

- an enablement code mechanism that evaluates an enablement code to determine whether the code is valid, wherein the enablement code includes the specified resource-time.

6. (Original) The apparatus of claim 4 wherein the partition manager further comprises a resource allocator that enables the at least one temporary resource.

7. (Original) The apparatus of claim 6 wherein the resource allocator recovers the at least one temporary resource when the specified resource-time has expired.

8. (Currently Amended) A computer-implemented method for providing at least one temporary resource on demand for a specified resource-time in a computer system that includes a plurality of logical partitions, the method comprising the steps of:

enabling the at least one temporary resource for the specified resource-time; and

controlling access to a minimum resource specification for each of the plurality of logical partitions ~~to assure the at least one temporary resource may be recovered when the specified resource-time expires~~ by not allowing a sum of all the minimum resource specifications for all of the plurality of logical partitions to exceed a total of resources that are permanently enabled in the computer system.

9. (Cancelled)

10. (Currently Amended) A computer-implemented method for providing at least one temporary resource on demand for a specified resource-time in a computer system that includes a plurality of logical partitions, the method comprising the steps of:

requesting an enablement code corresponding to the at least one temporary resource for the specified resource-time;

receiving the enablement code;

enabling the at least one temporary resource for the specified resource-time;

using the at least one temporary resource for the specified resource-time; and

controlling access to a minimum resource specification for each of the plurality of logical partitions ~~to assure the at least one temporary resource may be recovered when the specified resource-time expires~~ by not allowing a sum of all the minimum resource specifications for all of the plurality of logical partitions to exceed a total of resources that are permanently enabled in the computer system.

11. (Original) The method of claim 10 further comprising the step of evaluating an enablement code to determine whether the code is valid, wherein the enablement code includes the specified resource-time.

12. (Original) The method of claim 10 further comprising the step of enabling the at least one temporary resource.

13. (Original) The method of claim 10 further comprising the step of recovering the at least one temporary resource when the specified resource-time expires.

14. (Currently Amended) A computer readable program product comprising:

a capacity manager that manages at least one temporary resource on demand for a specified resource-time in a computer system that includes a plurality of logical partitions, the capacity manager controlling access to a minimum resource specification for each of the plurality of logical partitions ~~to assure the at least one temporary resource may be recovered when the specified resource-time has expired~~ by not allowing a sum of all the minimum resource specifications for all of the plurality of logical partitions to exceed a total of resources that are permanently enabled in the computer system; and  
~~computer readable signal bearing~~ recordable media bearing the capacity manager.

15-16 (Cancelled)

17. (Original) The program product of claim 14 wherein the capacity manager resides in a partition manager that manages the plurality of logical partitions.

18. (Cancelled)

19. (Currently Amended) A computer readable program product comprising:

(A) a partition manager comprising:

(A1) a capacity manager that manages at least one temporary resource on demand for a specified resource-time in a computer system that includes a plurality of logical partitions, the capacity manager comprising:

(A1a) a minimum resource enforcement mechanism that controls access to a minimum resource specification for each of the plurality of logical partitions by not allowing a sum of all the minimum resource specifications for all of the plurality of logical partitions to exceed a total of resources that are permanently enabled in the computer system; ~~to assure the at least one temporary resource may be recovered when the specified resource-time has expired;~~ and

(B) ~~computer readable signal bearing~~ recordable media bearing the partition manager.

20-21 (Cancelled)

22. (Original) The program product of claim 19 wherein the partition manager further comprises:

an enablement code mechanism that evaluates an enablement code to determine whether the code is valid, wherein the enablement code includes the specified resource-time.

23. (Original) The program product of claim 19 wherein the partition manager further comprises a resource allocator that enables the at least one temporary resource.

24. The program product of claim 23 wherein the resource allocator recovers the at least one temporary resource when the specified resource-time has expired.